IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.9316 of 2002

Dated: July 5, 2006

Between:

Prem Sagar, S/o. Late Sri Vidya Sagar,
aged about 23 years, Occ: Business,
R/o.H.No.3-4-685/A, Narayanguda, Hyderabad.

… Petitioner

And

The Managing Director, Hyderabad Metro Water
Sewerage & Supply Board, Khairatabad, Hyderabad – A.P.,
and another.

… Respondents

Order:

This writ petition has been filed seeking a Writ of Mandamus to declare the action of the respondents in not giving water connection to the petitioner inspite of paying necessary charges as arbitrary and illegal.

2. The petitioner claims to be the owner and possessor of the premises bearing No.3-4-685/A, admeasuring 100 Sq. yards, situated

at Narayanguda, Hyderabad, having purchased the same from Mr. Vasant Raj, in the year 1999. It is stated that when one Mr. Yesuratnam was interfering with his rights, petitioner has filed O.S.No.2736 of 2001 on the file of the X Junior Civil Judge, City Civil Court, Hyderabad, and the injunction was made absolute in I.A.No.817 of 2001. The case of the petitioner is that though he has applied and water connection was sanctioned by proceedings dated 11-01-2002 vide sanction order No.0000062433, and in spite of his paying necessary charges, the water connection has not been extended to him.

3. At the stage of admission, by order dated 15-05-2002, this court has directed the respondents to consider the application of the petitioner dated 11-02-2002.

4. Though the writ petition is of the year 2002, no counter affidavit has been filed till date and there is no representation on behalf of the respondents.

5. A perusal of the proceedings dated 11-02-2002 filed along with the material papers would disclose that with reference to the application of the petitioner, sanction was already given to extent water connection of 5 M.M. diameter. In view of the sanction, the petitioner is entitled for water supply.

6. As the petitioner has paid the necessary amount pursuant to the sanction order dated 11-02-2002, I dispose of the writ petition directing the respondents to consider the case of the petitioner for grant of water connection. If already such connection has been given, pursuant to the interim orders of this Court, the same shall be continued on payment of necessary charges as applicable.

7. The writ petition is disposed of with the above observations. No order as to costs.

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JUSTICE R. SUBHASH REDDY.

July 5, 2006
MRR